

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JUNE 15, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Attorney Connie Anderson, and Deputy Jennifer Grafton. A list of other attendees is available in the Clerk's office.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the two public hearings and the Town Board meeting held on June 1, 2015 as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #23694-23737. **MOTION CARRIED 5-0.**
  - 2. The Treasurer asked that June per diem reports be submitted by July 2<sup>nd</sup>.
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve two permits for Charter Communications to drill parallel to the right-of way: 1) at 4392 Vilas Hope Road to replace a 3" duct and 2) on Gaston Road at Raven Way to install a 2" duct. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider approval of July 2015 – June 2016 Operators License for Loreli Smithback: Smithback's application indicated she had an OWI in the Town of Sun Prairie in December of 2014. A memo to the Board from the Clerk stated that the offense actually occurred in the City of Sun Prairie, and the Court Clerk there stated it was Smithback's first offense, with a blood alcohol level of .15 or higher which resulted in a 6 month revocation of her driver's license and a mandatory interlock system being installed in her car. She is consistently making payments on her fines. Smithback stated that she has complied with all terms of the court, including a completion of a class at MATC, and her license has been reinstated. She further stated that she learned a difficult and expensive lesson, and as a result has been volunteering as a designated driver for others. **MOTION** by Anders/Fonger to approve an Operator's License for Loreli Smithback for the period of July 1, 2015 through June 30, 2016, with the caveat that she provide proof of attendance for the MATC course to the Clerk. **MOTION CARRIED 5-0.**
- B. Discuss/Consider renaming the park at 4539 American Way as "Dan Johnson Memorial Park" and allowing Andrew Grob to construct a memorial there as an Eagle Scout project: Andrew Grob provided a rendering of a large rock on a stone base, surrounded by benches and plantings, which he intends to install in the location of the current park sign. He had previously provided his Eagle Scout project workbook by email, which detailed his plans for the construction project. Smith asked that the stone base be extended to take in the entire memorial for ease of mowing. Grob said he is working with the family to come up with wording for the plaque. **MOTION** by Fonger/Williams to approve the concept, and requiring Grob to come back for approval of the final plan including dimensions and wording for the plaque. **MOTION CARRIED 5-0.** Ed Gaudet, 4546 Sundance Ct., said he and his wife are

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working on the wording, and asked board members for guidance. Their response was to include Dan Johnson's name, that he played in this park during his youth, and when and where he was serving upon his death.

- C. Discuss/Consider options for payment in lieu of health insurance. Attorney Anderson confirmed that the current practice of a taxable payment in lieu of health insurance will be in violation of the Affordable Care Act come July 1, 2015 since the Town cannot assure the payment is being put toward an approved plan. There was discussion of other ways to continue the reimbursement intended, but not required, to be used by employees to offset health insurance premiums. A colleague who specializes in employee wages and benefits had advised Anderson that any kind of bonus or supplementary payment could be construed as an avoidance of payment of overtime wages. Anderson recommended that the current payment in lieu of health insurance be rolled into hourly wages. Ed Gaudet stated that he is an employee benefits consultant, and suggested a Flexible Spending or Health Savings Account plan as an alternative, but Anderson said that such plans may not be attractive to Town Employees who have health insurance elsewhere and may or may not have health care related expenses that would qualify for the use of such funds. The Clerk had done the calculations to convert the payment in lieu of health insurance to wages based on each employee's typical hours worked per week, and noted that overtime could lead to an additional \$70-\$100 per year for each of the Public Works employees. **MOTION** by Hampton/Anders to convert the current payment in lieu of health insurance to hourly wages effective with the June 26, 2015 payroll, and eliminate all references to a payment in lieu of health insurance from the Personnel Policies and Procedures Manual. The conversion will be based on each employee's typical hours worked per week, with no adjustment to account for the effect of overtime. **MOTION CARRIED 5-0.**
- D. Discuss/Consider adoption of a Fraud Policy to be included in the Personnel Policy and Procedures Manual: Johnson Block and Company had provided a model policy. Attorney Anderson suggested slight revisions. **MOTION** by Anders/DuPlayee to incorporate the Fraud Policy, including Anderson's suggestions, into the Town's Personnel Policies and Procedures Manual. **MOTION CARRIED 5-0.**
- E. Discuss/Consider creation of a resolution to send to the WTA for the next legislative session regarding effects of ETJ and levy limits on Smartgrowth Planning: Tabled until a future meeting.
- F. Review May Police activities: Deputy Grafton said that a DCSO software upgrade took place early in June and she thought the report might be under-reporting the June activity slightly. It showed 229 calls in June, 121 of which were traffic related. There were 114 citations issued, of which 81 were for speeding. Grafton thought a good number of those were on Vilas Hope Road.

(Attorney Anderson left the meeting)

- G. Discuss/Consider quotes for financing of 2015 Road Construction projects: Three quotes were received, all with a single payment of \$235,000 including interest and principal on March 15, 2016:
- Bank of Sun Prairie: Loan amount of \$231,600, interest rate of 2.156% on a 365/365 basis.
  - Monona State Bank provided two options:

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1. Loan amount of \$231,942.55, interest rate at 1.98% if the Town agreed to give them an opportunity to review and make a proposal for a depository relationship.
2. Loan amount of \$231,486.23, interest rate at 2.28% without consideration of a depository relationship.
3. Wisconsin Bank & Trust: Loan amount not specified, interest rate at 1.55%.

**MOTION** by Anders/Williams to borrow from Wisconsin Bank & Trust, amount to be based on an interest rate of 1.55% and a single payment of \$235,000 to include both principal and interest due on March 15, 2016. **MOTION CARRIED 5-0.**

- H. Discuss/Consider writing off uncollectable 2014 personal property tax: The Treasurer stated that she has exhausted all options for collection of \$98.14 in 2014 personal property tax for Monkey Motors, LLC. The business has closed up and certified mail was refused. The cost to take legal action would exceed the potential benefit, and she cannot use the TRIP program since the taxpayer is a LLC rather than an individual. **MOTION** by Hampton/DuPlayee to write off \$98.14 in 2014 personal property taxes for Monkey Motors, LLC. **MOTION CARRIED 5-0.**
- I. Discuss/Consider quote to install computer wire between the Town Hall and Town Garage. **MOTION** by Anders/DuPlayee to table since the quote was not available. **MOTION CARRIED 5-0.**
- J. Discuss/Consider quotes to pour concrete for salt shed and dumpsters: Smith had obtained two quotes:
- K & R Concrete, Inc.: \$4,900 for 5 inches of concrete reinforced with a sealed fiberglass mesh.
  - D&M Concrete Co. Inc: \$5,000 for 6 inches of concrete reinforced with re-rod. The dumpster pad would be \$4.80/square foot, which Smith estimated would add up to around \$1,000.
- Smith noted that he felt the extra inch of concrete and sturdier reinforcement offered by D&M was needed. **MOTION** by DuPlayee/Anders to accept the quote from D&M Concrete Co. Inc. to pour concrete for the salt shed and dumpsters, not to exceed \$6,500. **MOTION CARRIED 5-0.**
- K. Discuss/Consider sale of unused equipment: Hampton stated there are two bicycles and some desks and lockers from the former police department. Smith said there is a old pole saw. **MOTION** by Fonger/Williams authorizing the Town Chair, the Clerk and the Highway Superintendent to decide what old equipment there is to sell, and put it on the Wisconsin Surplus site. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that:

1. He has spoken with two parties concerning restoration of a WWI memorial monument that recently turned up. He plans to have quotes to be considered at the next meeting.
2. An email received from Greg Jewel of Jewell Associates Engineers Inc. indicated that applications have been submitted for replacement of both the Uphoff Road and Femrite Road bridges.

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- B. Anders reported that the Dane Comm Governance Board will meet on June 18<sup>th</sup> and 22<sup>nd</sup>, and the DCTA Executive Board will meet on June 18<sup>th</sup>, and asked if board members had anything they wanted him to bring up.

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: There was no quorum at the June meeting, but members present did tour the Paul Davis Restoration facility.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:32 P.M.

Kim Banigan, Clerk  
Approved 07-06-2015